



CALIFORNIA STATE ATHLETIC COMMISSION MEETING MINUTES APPEAL HEARING – CHAEL SONNEN

Wednesday, May 18, 2011

9:30 A.M. to 2:00 P.M.

Location

Ronald Reagan State Office Building
300 South Spring Street 13th Floor, Executive Officer's Conference Room
Los Angeles, CA 90013

Commissioners Present:

Chairman John W. Frierson

Commissioner VanBuren Lemons, M.D.

Commissioner Anthony Thompson

Vice Chairman Christopher Giza, M.D.

Commissioner Gene Hernandez

Staff Present:

George Dodd, Executive Officer

Karen Chappelle, Supervising Deputy Attorney General

Michael Santiago, DCA Legal

Elizabeth Parkman, AGPA (CSAC Program Analyst)

Present via Video Conference for State of Nevada:

Keith Kizer, Executive Director, Nevada State Athletic Commission

Chris Eccles, Deputy Attorney General

Vivienne Rakowsky, Deputy Attorney General

Agenda Item 1. Call to Order/Roll Call/Pledge of Allegiance

Present were commissioners Frierson, Giza, Lemons, Hernandez, Thompson. Also in attendance were Mr. Chael Sonnen and his counsel's Mr. Steven Thompson and Mr. Raffi Nahabedian. Supervising Deputy Attorney General Karen Chappelle was in attendance representing the California State Athletic Commission. Mr. Michael Santiago, Department of Consumer Affairs Legal office, presided over the hearing.

Agenda Item 2. License Suspension Appeal

SUMMARY

Michael Santiago opened the meeting requesting an introduction by attendees for the commissioners. He requested counsel's documentation be submitted before the start of the meeting so it could be marked accordingly. Finally, Mr. Santiago established a one (1) hour time limit for each counselor then asked Ms. Chappelle to give a brief summary of the appeal.

Ms. Chappelle explained that Mr. Sonnen was issued an indefinite suspension of his MMA license in California. Mr. Sonnen asked for a special meeting of the commission; since they were not due to meet again until June 20th, to appeal his licensure suspension. This hearing is to determine if returning Mr. Sonnen's license would bring a discredit to the state of California and the sport of MMA.

Ms. Chappelle showed a power point presentation offering a timeline of Mr. Sonnen's fights, documents of his conviction in Oregon and information regarding his suspension. Ms. Chappelle showed video clips in which Mr. Sonnen stated he spoke directly to Keith Kizer, Executive Officer for Nevada State Athletic Commission, and was told he was approved for the therapeutic

use exemption and did not need to discuss further with anyone as it was cleared by Mr. Kizer. Upon questioning, Mr. Kizer said he had never spoken to Mr. Sonnen personally. Ms. Chapelle further reported that when Mr. Sonnen applied for his California MMA license he was currently under investigation for money laundering in the state of Oregon and, therefore, he lied on his application to CSAC when he failed to report it. Ms. Chapelle argued that Mr. Sonnen will say anything, even if it's a lie, to get what he wants.

Mr. Thompson, opposing counsel, began by explaining that Mr. Sonnen felt as though he was being re-tried for his conviction in Oregon. Mr. Thompson wanted the commissioners to understand that Mr. Sonnen did not need to reinstate his license but he wanted to clear his name. Mr. Thompson explained that the commissioners should not focus on what's in the media but instead focus on the facts. While he was found guilty, Mr. Sonnen was not the ringleader of the money laundering scandal. He served his time and is now a pillar in the community and a mentor to the children in the area. He is as an example of both success and consequence. He has shown responsibility for his actions to the extent that the judge in his case gave him a character witness statement for today's hearing.

QUESTIONING

Mr. Keith Kizer was sworn in.

Mr. Kizer was questioned about the validity of the statements made by Mr. Sonnen regarding him having spoken to and approved Mr. Sonnen's "therapeutic use" of testosterone. Mr. Sonnen testified at the December 2, 2010 commission meeting that Mr. Kizer approved a therapeutic use exemption for testosterone and that Mr. Sonnen did not need to disclose this information to any other commission or commissioner since he was approved through Mr. Kizer. Mr. Kizer denied ever having this conversation with Mr. Sonnen or approving a therapeutic use exemption.

Mr. Chael Sonnen was sworn in.

Mr. Sonnen responded to questions from his counsel by explaining he did not intend to deceive CSAC. Mr. Sonnen testified that no other state has used his conviction against him and he currently holds a promoter's license in Oregon. He explained that he's been given the opportunity to be on the television show "Ultimate Fighter." However, to be eligible to compete on the show Mr. Sonnen needs his CA license reinstated. If his license is not reinstated he will effectively retire from MMA. Mr. Sonnen explained to the commissioners that he does not want to retire, he is actively involved in his community as a volunteer, he doesn't drink, smoke, or swear. Mr. Sonnen testified that he was embarrassed by the last hearing and that he never meant to mislead or deceive anyone or offend Mr. Kizer. He simply would like to return to work as an MMA fighter. Mr. Sonnen also testified that he did not know what money laundering was, so he did not realize he was committing a crime; and that he turned himself in, he wasn't caught. Also, there is was no pending investigation and no charges filed until he began his campaign for public office; at which time the issue resurfaced and an investigation into money laundering began, leading to his conviction.

Mr. George Dodd was sworn in.

Mr. Dodd was questioned by opposing counsel about his knowledge of other licensee's who have had investigations and/or convictions at the time of their licensure and are currently suspended or received a suspension for lying on their application. Mr. Dodd said no other athlete has received a suspension of this nature since his employment began in February 2010.

REBUTTAL

Ms. Chapelle gave her rebuttal.

Mr. Thompson gave his rebuttal.

DISCUSSION AND DECISION FROM THE COMMISSIONER

The commissioners discussed the honesty and veracity of statements made by Mr. Sonnen, the use of testosterone, the discrepancy in his statements, and his lack of remorse.

A motion was made to uphold the suspension for the remainder of the life of the license in the state of California. Motion/Seconded/Carried 4-1 (Opposed-Thompson).

ADJOURNMENT

With no further items for discussion the meeting was adjourned.